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10/766,592	01/26/2004	Evan M. Jacover	12415/3	3861

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EXAMINER

LEUNG, JENNIFER

ART UNIT	PAPER NUMBER
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3709

DATE MAILED: 10/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/766,592

Applicant(s)

JACOVER, EVAN M.

Examiner

Jennifer Leung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☒ Claim(s) 1-3, 5-8, 10-13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application
- ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Claims 1-3, 5-8, and 10-13 are objected to because of the following informalities:

Claim 1, line 5: "receive identification information" should be -- receive said identification information --.

Claim 1, lines 7-8: "ascertains bowler scoring information associated with an individual bowler" should be -- ascertains said bowling scoring information associated with said individual bowler --.

Claim 1, lines 9-11: "at least a version pf some of said bowler scoring information associated with an individual bowler" should be -- at least a version of some of said bowling scoring information associated with said individual bowler --.

Claim 1, line 12: "said internet accessible data base" should be -- said internet-accessible data base --.

Claim 1, line 13: "said data base" should be -- said internet-accessible data base --.

Claim 2, lines 2-3: "an individual bowler" should be -- said individual bowler --.

Claim 3, line 2: "multiplicity of individual bowlers" should be -- multiplicity of said individual bowlers --.

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Claim 5, line 3: to be consistent with claims 3-4, "bowling team information and bowling league information" should be -- bowling team scoring information and bowling league scoring information --.

Claim 5, lines 4-5: to be consistent with claims 3-4, "bowling team information or bowling league information" should be -- bowling team scoring information or bowling league scoring information --.

Claim 5, lines 6-7: "whereby bowling statistics" should be -- whereby said bowling statistics --.

Claim 6, line 4: "ascertaining bowling scoring information for the bowlers" should be -- ascertaining said bowling scoring information for said individual bowlers --.

Claim 7, line 2: "said bowlers" should be -- said individual bowlers --.

Claim 7, line 2: "on respective ones" should be -- on said respective ones --.

Claim 8, line 4: "said data base" should be -- said internet-accessible data base --.

Claim 10, line 5: "said web site" should be -- said computer-managed web site --.

Claim 11, line 1: "at least version" should be -- at least a version --.

Claim 11, line 2: "said bowling information" should be -- said bowling scoring information --.

Claim 11, line 2: "with an individual bowler" should be -- with said individual bowler --.

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Claim 11, line 3: "said data base" should be -- said internet-accessible data base --.

Claim 12, line 2: "said bowling information" should be -- said bowling scoring information --.

Claim 12, line 2: "with an individual bowler" should be -- with said individual bowler --.

Claim 12, line 3: "said data base" should be -- said internet-accessible data base --.

Claim 13, line 4: "receive identification information" should be -- receive said identification information --.

Claim 13, lines 6-7: "ascertains bowling scoring information" should be -- ascertains said bowling scoring information --.

Claim 13, line 7: "with an individual bowler" should be -- with said individual bowler --.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The preamble recites "a method for

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sending bowling scoring information associated with identification information to an internet-accessible database." According to lines 8-12, the information is passed to a computer. However, no where in the body of the claim does it state that the information is passed to an internet-accessible database. This renders claim 13 indefinite because it is not clear as to whether the information is ultimately passed to an internet-accessible database or to a computer.

In addition, claim 1 recites a similar preamble as claim 13 -- "a bowling establishment apparatus for sending bowling scoring information associated with identification information to an internet-accessible database." Unlike claim 13, claim 1 is consistent with the preamble. Lines 9-14 of claim 1 state that the information is passed to an internet-accessible computer and then ultimately passed to an internet-accessible database.

It is suggested that -- to said internet-accessible database -- be inserted before "without having to" in line 11 of claim 13.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an

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application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 3, 4, 5, 6, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Shea (US 6,623,369).

Re claim 1: Shea discloses a bowling establishment apparatus for sending bowling scoring information associated with identification information to an internet-accessible data base comprising: a user interface (108; col. 2, lines 16-17), having an input and an output (see Fig. 1: data is sent to or from the bowler consoles through lines connected to the LAN, WAN, and signal source), said input adapted to receive identification information associated with an individual bowler (col. 3, lines 39-42); a pin setter data generator (combination of 118, 116, and 104), having an input communicating with the output of said user interface (see Fig. 1: the lane control system and pinsetters communicate with the bowler consoles through the LAN), which automatically ascertains bowler scoring information associated with an individual bowler (col. 3, lines 45-52; col. 15, lines 50-52); an internet-accessible computer (106), adapted to automatically receive at least a version of some of said bowler scoring information associated with an individual bowler (col. 8, lines 58-65: to store data in the memory of the system control computer, the computer must receive the data), and send at least a version of some of said bowling scoring information via the internet (114; col. 4, lines 64-67) to said internet accessible data base (110) (col. 5, lines 1-6; col. 9, lines 3-11), whereby at least a version of some of said bowling scoring

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information is sent to said data base without having been manually input into said computer (col. 3, lines 4-7).

Re claim 2: Shea further discloses the computer receiving (col. 8, lines 58-65) said bowling scoring information for a multiplicity of games associated with an individual bowler from which bowling game scoring information can be ascertained (col. 2, lines 27-31; col. 13, lines 32-39; col. 13, lines 56-57; col. 15, lines 16-21).

Re claim 3: Shea further discloses the computer receiving (col. 8, lines 58-65) said bowling scoring information for a multiplicity of individual bowlers comprising a bowling team from which bowling team scoring information can be ascertained (col. 9, lines 19-22; col. 15, lines 16-18; col. 17, lines 3-6).

Re claim 4: Shea further discloses the computer receiving (col. 8, lines 58-65) said bowling scoring information for a multiplicity of bowling teams comprising a bowling league from which bowling league scoring information can be ascertained (col. 3, lines 7-10; col. 8, line 32; col. 9, lines 19-22 and lines 28-34).

Re claim 5: Shea further discloses the bowling scoring information received by said computer (col. 8, lines 58-65), which can be used to ascertain bowling game scoring information (col. 2, lines 27-31; col. 13, lines 32-39; col. 13, lines 56-57; col. 15, lines 16-21), bowling team information (col. 9, lines 19-22; col. 15, lines

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16-18; col. 17, lines 3-6) and bowling league information (col. 3, lines 7-10; col. 8, line 32; col. 9, lines 19-22 and lines 28-34), and at least a version of some of said bowling game scoring information, bowling team information or bowling league information can be passed to said internet-accessible data base (110) (col. 5, lines 1-6; col. 9, lines 3-5) and converted into bowling statistics (col. 13, lines 41-44; col. 13, lines 66-67), whereby bowling statistics pertaining to individual, team and league performance can be accessed via the internet (col. 9, lines 5-11).

Re claim 6: Shea further discloses the pin setter data generator comprising a plurality of automatic pin setters (116-1 to 116-N) each associated with different bowling lanes (1 to N in Fig. 2) in said bowling establishment, each of said pin setters automatically ascertaining bowling scoring information for the bowlers who are bowling on respective ones of said different bowling lanes (col. 2, lines 64-67; col. 3, lines 1-7).

Re claim 13, as understood: Shea discloses a method for sending bowling scoring information associated with identification information to an internet-accessible data base comprising: providing a user interface (108; col. 2, lines 16-17), having an input and an output (see Fig. 1: data is sent to or from the bowler consoles through lines connected to the LAN, WAN, and signal source), said input adapted to receive identification information associated with an individual bowler (col. 3, lines 39-42); providing a pin setter data generator (combination of 118, 116, and 104), having an input communicating with the output of said user

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interface (see Fig. 1: the lane control system and pinsetters communicate with the bowler consoles through the LAN), which automatically ascertains bowling scoring information associated with an individual bowler (col. 3, lines 45-52; col. 15, lines 50-52); automatically passing at least a version of some of said bowling scoring information associated with said identification information to a computer (106) (col. 8, lines 58-65: to store data in the memory of the system control computer, data must be passed to the computer); and passing at least a version of some of said bowling scoring information associated with said identification information to said internet-accessible data base (110) (col. 5, lines 1-6; col. 9, lines 3-11) without having to manually input said version into said computer (col. 3, lines 4-7).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shea in view of Moffatt (US 2002/0087223). The teachings of Shea have been discussed above.

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However, Shea fails to disclose bowling scoring information for bowlers who are bowling on different lanes that is passed simultaneously to the computer.

Moffatt teaches a computerized golf scoring system that simultaneously records the scores of several different players playing different holes (para. 0003, lines 4-6).

Therefore, in view of Moffatt, it would have been obvious to one of ordinary skill in the art at the time the invention was made to simultaneously pass the scoring information to the computer in order to reduce the number of times data needs to be sent to the computer.

7. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shea in view of Born (US 5,949,679). The teachings of Shea have been discussed above.

Re claim 8: However, Shea fails to disclose the computer programmed to automatically format the bowling scoring information.

Born teaches a computer that, when data is received, calculates scores and statistical data and automatically formats it into HTML making the data suitable for display by a web browser (col. 19, lines 47-52).

Therefore, in view of Born, it would have been obvious to one of ordinary skill in the art at the time the invention was made to automatically format the

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scoring information in order to allow the formatted information to be displayed on a webpage.

Re claim 9: However, Shea fails to disclose formatted bowling scoring information, which can be utilized to generate bowling statistics.

Born teaches an executable program for creating scoring formats and for calculating competition scores based on the scoring format (col. 19, lines 66-67; col. 20, lines 1-2).

Therefore, in view of Born, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize formatted scoring information to generate bowling statistics in order to allow bowlers to assess their bowling performance by viewing their statistics on the internet.

8. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shea, as modified by Born, as applied to claims 8 and 9, and further in view of MacPherson (US 6,725,107). The teachings of Shea, modified by Born have been discussed above.

However, the teachings of Shea modified by Born fails to disclose the website arranged so that statistics can be put on the website and obtained via the internet.

MacPherson teaches that statistical information in a database can be immediately posted on a central website from which interested parties can view the statistics (col. 4, lines 62-67).

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Therefore, in view of MacPherson, it would have been obvious to one of ordinary skill in the art at the time the invention was made to arrange a website where bowling statistics can be put on the website and obtained via the internet in order to allow bowlers to assess their bowling performance by viewing their statistics on the internet.

9. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shea in view of Mowers (US 5,450,318). The teachings of Shea have been discussed above.

Re claim 11: However, Shea fails to disclose the bowling information being automatically sent to the database.

Mowers teaches the transferring of game information automatically back to a database (col. 61, lines 47-49; col. 62, lines 1-5).

Therefore, in view of Mowers, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to automatically send bowling information to the database in order to keep the database updated thereby allowing bowlers to access current scoring information.

Re claim 12: However, Shea fails to disclose the bowling information being sent on command to the database.

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Mowers teaches the transferring of game information back to a database by allowing the operator to force the information transfer (col. 61, lines 47-49; col. 62, lines 1-5).

Therefore, in view of Mowers, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to send on command bowling information to the database in order to control the number of times information is sent to the database.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Funaki discloses an auto-scorer for monitor bowling, Lobensz discloses a golf scoring system, Mallamo discloses a golf scoring system for a golf competition, and Gowan discloses a golf scoring average determining method and system.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer Leung whose telephone number is 571-270-1342. The examiner can normally be reached on Mon -Thur, every other Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jong-Suk (James) Lee can be reached on 571-272-7044.

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The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Jennifer Leung
October 12, 2006


JONG SUK LEE
SUPERVISORY PATENT EXAMINER